IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

MISC. CIVIL APPLICATION (REVIEW) NO. 740 OF 2006
IN
WRIT PETITION NO. 4401 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : B.P. DHARMADHIKARI, J.
AUGUST 25, 2006.

Heard Shri Khanzode, learned counsel for the applicant/ petitioner.

The perusal of orders sought to be reviewed reveals that the petitioner was then claiming herself as a candidate belonging to Scheduled Tribe without disclosing any tribe. During the course of hearing, a validity certificate mentioning that she belongs to Caste – “Kalar” which is Other Backward Caste was produced. It, therefore, became clear that a person belonging to Other Backward Class category i.e. Kalar could not have claimed benefit as a person belonging to Scheduled Tribe.

The question of granting benefit of Government Resolution dated 30.6.2004 is

also considered by this Court. The perusal of order also reveals that the learned counsel appearing for the petitioner did not choose to argue the question of discrimination in the absence of specific data in relation to other candidate i.e. Shri Kakde, as mentioned in paragraph 14 of writ petition. This Court at that time has taken sympathetic view and has dismissed the petition without taking any further action against the petitioner in the matter.

I find that no case for review is made out in the present matter. Review Application is, therefore, dismissed. No costs.

JUDGE

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